

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

JESSICA BERK,

Plaintiff,

-against-

THE CITY OF NEW YORK, et al.,

Defendants.

20-CV-1548 (LLS)

ORDER

LOUIS L. STANTON, United States District Judge:

Plaintiff, who is proceeding *pro se* and *in forma pauperis*, filed this complaint under the Americans with Disabilities Act of 1990 (ADA), alleging that Defendants violated her rights by denying her rent subsidies. On March 31, 2020, the Court granted her leave to amend her complaint within sixty days. Plaintiff submitted an amended complaint on June 11, 2020, and by order dated August 4, 2020, the Court dismissed this action for failure to state a claim on which relief may be granted under 28 U.S.C. § 1915(e)(2)(B)(ii). On September 10, 2020, the Court received Plaintiff's notice of appeal, and four days later, transmitted the notice to the United States Court of Appeals for the Second Circuit.

But on October 29, 2020, the Court received a letter-motion from Plaintiff requesting additional time to file an amended complaint. She asserts that because she is having trouble receiving her mail, she did not receive the Court's March 31, 2020 order.

Plaintiff's request for an extension of time to file an amended complaint is denied. Plaintiff has already filed an amended complaint, and the Court, thereafter, dismissed this action. Plaintiff's appeal of that dismissal is pending with the Second Circuit.

**CONCLUSION**

The Clerk of Court is directed to mail a copy of this order to Plaintiff and note service on the docket. The Court denies Plaintiff's request for an extension of time to file an amended complaint (ECF No. 12).

SO ORDERED.

Dated: October 30, 2020  
New York, New York

Louis L. Stanton

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U.S.D.J.